

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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**Applicant(s):** Barnard, et al.      **Docket:** 135717  
**Serial No.:** 10/016,677      **Art Unit:** 2667  
**Filed:** December 10, 2001      **Examiner:** Rhonda L. Murphy  
**Title:** Failover Apparatus and Method for an Asynchronous Data Communication Network

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DECLARATION

I, Bobby D. Slaton, do declare and say:

1. I reside at 4912 Newbridge Drive, McKinney, Texas 75070 and have since April, 2005.
2. I am Corporate Counsel for Alcatel USA, authorized to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.
3. An Invention Disclosure Form (attached as Exhibit #A) was received in the Alcatel Intellectual Property Department on or about March 29, 2000.
4. The Invention Disclosure Form included a document "BRX System Architecture" (attached as Exhibit #B) and such document was included with the received Invention Disclosure Form.
5. The "BRX System Architecture" document is dated October 6, 1999.
6. The Invention was approved for filing of a utility patent application on or about May 18, 2000.
7. Preparation of the utility application was completed for filing in December 2000.

I further declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further that all these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code.

Date: March 3, 2006

Bobby D. Slaton  
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Reg. No. 43,130